IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 645 OF 2006

Nitin Jagnivas Purandare ...Applicant.

V/s

State of Maharashtra ...Respondent

Mr. Rajendra J. Rathod i/b Dinesh Tiwari for the applicant.

Ms. S.D. Shinde, APP for the State.

CORAM: V.M. KANADE, J.
DATE: 1st March, 2006

P.C:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant was released on bail by the trial court on 5/5/2005 and initially he was granted cash bail of Rs 50,000/- and, thereafter he was to furnish surety on/or before 30/5/2005. Since the accused did not furnish surety on/or before the said date i.e. 30/5/2005, the earlier order was set aside. Thereafter, fresh application is preferred by the applicant before the Additional Sessions Judge for bail. However, the Sessions Court rejected the application on the ground that the applicant had not followed the conditions which were imposed upon him

while he was released on bail.

3. In my view, the Sessions Court had earlier released him on bail by imposing certain conditions. Initially, he was allowed to furnish cash surety of an amount of Rs 50,000/-. Merely because within the prescribed time the applicant could not furnish the surety, would not be an adequate ground for refusing to release the applicant on bail. Hence, the applicant be released on bail in the sum of Rs 50,000/- with one or two sureties in the like amount. The applicant shall report to Senior Inspector of Police, EOW, Unit No.II, GBCB, CID twice in a month.

4. Application is accordingly disposed of.

V.M. KANADE, J.